

Appl. No. 09/546,857
Amdt. dated May 21, 2004
Reply to Final Office Action of January 21, 2004

REMARKS

Entry of the Amendment is respectfully requested. Applicants submit the Amendment places the application in condition for allowance and raises no issues not previously considered by the Examiner.

Claim 28 has been amended to correct an error in grammar. Claims 20, 23, 26, 27, 28, 29, 30, 47, and 48 have been amended to further clarify the invention. Claim 24 is canceled. Claims 55 and 56 are newly presented. Applicants submit the Amendment raises no issues of new matter and is supported throughout the specification. After entry of the Amendment, claims 20-23 and 25-56 will be pending.

Formal Matters

The Examiner pointed out a grammatical error in claim 28. Applicants amended the claim to recite "comprise" as suggested by the Examiner. Accordingly, withdrawal of this objection is respectfully requested.

Indefiniteness

The Examiner rejected claims 20-54 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants submit the claims are clear on their face. In order to advance prosecution, Applicants amended the claims (as suggested by the Examiner) to specify that human VEGF is the protein of reference. Accordingly, withdrawal of this rejection is respectfully requested.

Anticipation/Obviousness

The Examiner rejected claims 23, 32, 36-44, 46, 47, and 53 under 35 U.S.C. § 102(b) as allegedly being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over Fuh et al., 1998, *JBC*, 273:11197-11204. Applicants strongly disagree with the Examiner's characterization of Table 2 at page 3 of the Office Action. Nonetheless, to speed prosecution, the claims have been amended to clearly distinguish the claimed variants. The rejection is moot in view of the Amendment. Withdrawal of the rejection is respectfully requested.

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Conclusion

In light of the forgoing Amendment and Remarks, Applicants' assert the claims are in condition for allowance. Early notice of allowable claims is requested. The Examiner is invited to telephone the undersigned attorney for clarification of any of these Remarks or Amendments, or to otherwise speed prosecution of this case.

Respectfully submitted,

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Date: 21 May 2004

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